

NORTH CAROLINA GENERAL ASSEMBLY  
1959 SESSION

CHAPTER 1332  
HOUSE BILL 1263

AN ACT TO PROVIDE FOR ELECTIONS ON THE QUESTION OF ANNEXING  
CERTAIN AREAS IN DURHAM COUNTY TO THE DURHAM CITY  
ADMINISTRATIVE SCHOOL UNIT.

The General Assembly of North Carolina do enact:

Section 1. When the city limits of the City of Durham have been extended under the provisions of Chapter 1099 of the Session Laws of 1957 or any other applicable law, the Board of Commissioners of Durham County, subject to the approval of the Board of Education of the Durham City Administrative School Unit and the Board of Education of Durham County, shall call an election to be held in those areas so annexed to the corporate limits of the City of Durham, and which have not theretofore been included within the boundaries of the Durham City Administrative School Unit, on the question of whether or not such annexed areas shall become a part of and be included within the boundaries of Durham City Administrative School Unit; provided, that the calling of such an election shall be approved by the Board of Education of the Durham City Administrative School Unit and the Board of Education of Durham County as soon as there is adequate classroom space in the City Administrative School Unit to accommodate the pupils of such annexed area, and provided further, that in the event there is insufficient classroom space to accommodate all pupils in the entire annexed area, such an election shall be approved and called for such part of the annexed area as the Board of Education of the Durham City Administrative School Unit finds there to be adequate classroom space to accommodate the pupils therein. The ballots to be used in said election shall have written or printed thereon the words, "For Enlargement of the Durham City Administrative Unit and school tax of the same rate." and "Against Enlargement of the Durham City Administrative Unit and school tax of the same rate". At said election, if a majority of the qualified voters voting at such election shall vote in favor of such enlargement of such areas and school tax of the same rate, then such areas shall be consolidated with the Durham City Administrative School Unit, effective July first next following such election, and there shall thereafter be levied in such areas so consolidated with the said Administrative School Unit the same school taxes as shall be levied in the other portions of the Durham City Administrative Unit, and the citizens and property within the areas so annexed shall enjoy the same rights as citizens and property within the boundaries of the said Administrative School Unit enjoyed and were liable for prior to the election.

In all elections called and held under this Act a new registration of qualified voters of the areas concerned shall be ordered. Notice of said new registration shall be given by publication in some newspaper having a circulation in such areas at least twenty (20) days prior to the close of the registration books. Such published notice of registration shall state the days on which the books will be open for the registration of voters and the place or places at which the books will be open on Saturdays. The books of such registration shall close on the second Saturday before the election. The Saturday before the election shall be challenge day and except as otherwise provided in this Act such election shall be held in accordance with the law governing general elections.

The Board of Commissioners of Durham County shall designate the polling place or places, appoint the registrars and judges of election, canvass and judicially determine the result of said election when the returns have been filed with them by the officers holding the election and record such determination on their records. In all cases where an election is called and held under the provisions of this Act, and a majority of the qualified voters voting at such election voted in favor of such enlargement of such areas and school tax of the same rate and the results of such election have been officially determined and recorded in the minutes of the Board of Commissioners, the validity of such election, and of the registration for such election, shall not be open to question except in an action or proceeding commenced within thirty days after the determination of the results of such election.

All other details of said election shall be fixed by the Board of Commissioners of Durham County, and the expenses of holding and conducting the election shall be provided by the Durham Administrative School Unit.

Sec. 1½. The provisions contained in this Act shall be supplementary and in addition to and not in lieu of the provisions contained in G. S. 115-118.

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect on and after July 1, 1959.

In the General Assembly read three times and ratified, this the 20th day of June, 1959.